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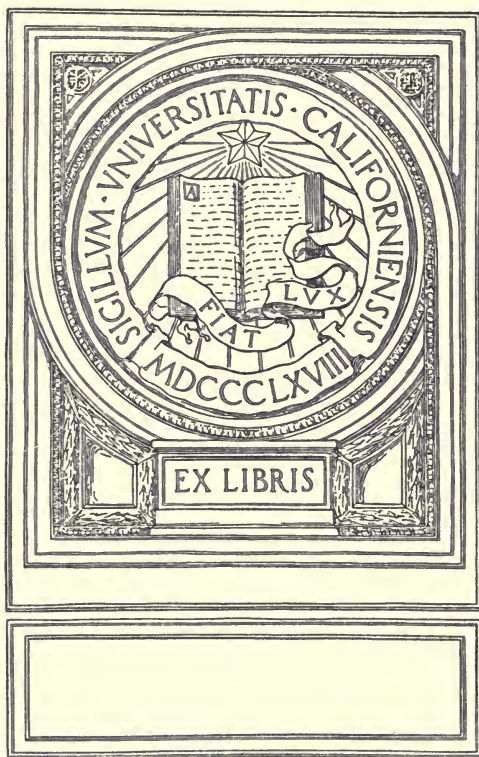
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Alabama Secedes from the Union

An Address *Mar. 5. 1930*

BY

JUDGE WALTER B. JONES

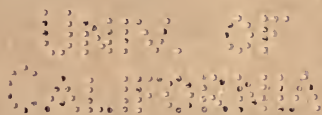
BEFORE

The Brannon Historical Society

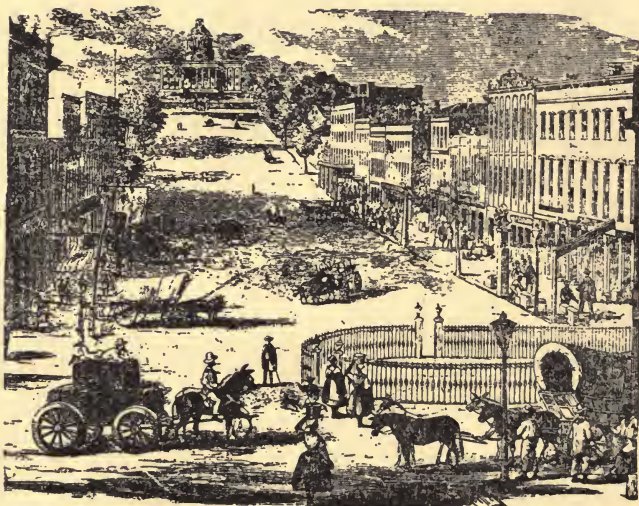
OF THE

Womans College of Alabama

Montgomery



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STREET SCENE IN MONTGOMERY IN EARLY FIFTIES

TO THE
LIBRARY OF

Alabama Secedes from the Union

An Address by Judge Walter B. Jones before the
Brannon Historical Society of the
Woman's College of Alabama
Montgomery

If you had been in Montgomery on the fateful night of Tuesday, November 6, 1860, you would have seen the streets of the little city, for then it had only 12,000 people, thronged with citizens and visitors. They were of all sexes, classes and colors; men, women and children, professional men, tradesmen, mechanics and planters; whites and blacks, all serious and anxious.

They jostled and crowded each other on the sidewalks. Market Street (now Dexter Avenue) was filled with horsemen and the fine equipages of the wealthy. The lobby of the Exchange Hotel was packed, and the adjoining sidewalks jammed with humanity. Men and women stood anxiously around the telegraph office, and hundreds were about the newspaper offices eagerly scanning each bulletin. Large groups gathered about Estelle Hall. The people generally so happy and carefree, wore looks of disquietude that night, and there was an unwonted seriousness brooding over the city.

What was the cause of all the anxiety? Why were the multitudes so grave that night of November 6, 1860? Do you ask me?

A presidential election had been held that day, and the people were waiting to know who was to be the future head of the nation. It was a most momentous election, for that day's decision would shake the very foundations of the government. The early hours of the evening had passed. The election returns were coming in slowly. It was now near midnight. The result of the election depended upon the vote of one State.

New York had 35 electoral votes. Without her votes Abraham Lincoln and Hannibal Hamlin, whose political teachings and principles were hostile to the people of Alabama and of the South, could not be elected.

Election of Republican Candidates

And so, as midnight came on Tuesday, November 6, 1860, the people of Montgomery awaited with deep concern the result of the balloting. No one could safely predict how New York would cast her votes. But now the time is at hand. The ballots have all been counted, and on every tongue is the question, How did New York vote?

New York's votes went to Abraham Lincoln. The standard bearer of the Republican Party, elected on a political platform deadly inimical to the civilization of the South, would soon be president of the United States; the affairs of the national government would soon be in the hands of the political foes of the South.

"The North had spoken," says James Ford Rhodes. "In every man's mind rose unbidden the question, What would be the answer of the South?"

On December 5, 1860, when the electoral college met, Lincoln received 180 electoral votes, and his opponents 123 votes. He was now president-elect of the United States.

Alabama Prepares to Meet the Issue

The people of Alabama, in common with the people of the other Southern States, had anticipated the election of Mr. Lincoln. Eight months before, on February 24, 1860, the Alabama Legislature with but two dissenting votes, had passed a joint resolution requiring the governor, in the event of the election of the Republican presidential candidates, to issue a call to the qualified voters of the State to gather at the ballot boxes of Alabama, and there to elect delegates to a convention of the State to "consider, determine, and do whatever in the opinion of said convention, the rights, interests and the honor of the State of Alabama require to be done for their protection."

On December 6, 1860, Governor Andrew Barry Moore, obedient to the joint resolution of the legislature, called the election for delegates to the convention of the State. The election was held Christmas Eve, Monday, December 24, 1860. The delegates were summoned to meet on Monday, January 7, 1861.

The Historic Convention Meets

Many momentous events, helping to shape Alabama's destiny, have taken place in the historic Hall of the House of Representatives in the State Capitol at Montgomery, but no event occurring within its walls, has affected the life of the people of Alabama so profoundly as the Constitutional Convention which convened there in solemn session January 7, 1861. As its members stood with bowed heads in that nobly proportioned room, the morning sunlight streaming through its great eastern windows, and listened to the Reverend Basil Manly, a former president of the University of Alabama, open their deliberations with prayer, each understood his heavy responsibility.

The minister stands there, by the speaker's chair on the dais, a scholarly figure, the snows of sixty-three winters upon his head, to deliver the most stately prayer ever heard within those walls. A deep hush settles upon the great hall. There is quiet on the floor of the convention, and not a sound is heard in the crowded galleries. The voices in the rotunda cease, and even the noises of the street seemed stilled.

A Prayer for Grace and Wisdom

And now the good minister's voice is heard, its well rounded tones reaching every part of the classic chamber:

"We thank Thee for all the hallowed memories connected with the establishment of the Independence of the Colonies, and their sovereignty as States, and with the formation and maintenance of our government"—

and now the voice of the divine is sorrowful as he expresses the disappointment of the South—a government

"which we had devoutly hoped might last, unperverted and incorruptible, as long as the sun and moon endure. Oh our Father, we have striven as an integral part of this great republic, faithfully to keep our solemn covenants in the Constitution of our Country; and our conscience doth not accuse us of having failed to sustain our part in the civil compact.

"Lord of all the families of the earth; We appeal to Thee to protect us in the land Thou hast given us, the institutions Thou hast established, the rights Thou hast bestowed! And now, in our troubles, besetting us like great waters round about, we, Thy dependent children, humbly entreat Thy fatherly notice and care. Grant to Thy servants, now assembled, as the direct representatives of the people of this State, all needful grace and wisdom for their peculiar and great responsibilities at this momentous crisis."

A few words more . . . the prayer of the man of God is ended, and a great Amen! swells and echoes through the huge hall.

Some Distinguished Delegates Present

The voice of Secretary Horn resounds through the room. He is calling the roll of delegates from the fifty-two counties of the State; the one hundred men elected delegates to the convention, the flower of Alabama's wisdom and courage, are all there, each in his place. Not one is absent.

"Autauga," calls the secretary, and Dr. George Rives is the first delegate to go forward and sign his name to the convention roll.

"Barbour," and three delegates go forward to the clerk's desk. One of them is the cultured Alpheus Baker, a gifted orator, soon to become a brigadier general in the Confederate Army.

"Calhoun," calls the clerk, and one of the most effective debaters in all Alabama moves to the desk to sign his name. He is George C. Whatley. In a few hours one of his resolutions, the first to be offered in the convention, will provoke heated debate. Within six weeks he will don a soldier's uniform, and before the year 1862 has seen its autumn, he will seal his devotion to Alabama with his life's blood on the battlefield of Sharpsburg.

Again the secretary calls, this time, "Conecuh;" and the oldest member of the convention, John Green, a veteran of the War of 1812, now past three score and ten years, with eyes flashing and head erect, goes forward to put his name on the roll. He will be the only delegate from the southern part of the State to vote with the Co-operationists. His convictions are very intense, with twenty-three other delegates he will decline to sign the Ordinance of Secession after it is passed.

John Tyler Morgan Answers for Dallas

"Dallas," the clerk announces, and a handsome delegate, not yet thirty-seven years old, with the face and bearing of an aristocrat, moves to the desk. He is John Tyler Morgan. He will be a leader of the convention. Within two years General Robert

E. Lee will make him a Confederate brigadier. After the war he will take an honored part in restoring white supremacy, and for thirty years he will represent Alabama, ably, fearlessly and incorruptibly in the Senate of the United States.

The call of the roll proceeds. "Lowndes," the secretary announces. And James S. Williamson puts his name upon the roll. In a few minutes he will vigorously champion the Whatley Resolution calling for resistance to the Lincoln administration. In fifteen months he will die at the head of his company at Frazier's Farm, Virginia, defending the principles he loved in life.

"Madison," the clerk calls. And two delegates, who are to lead the minority of the convention, go forward. One is a slender, erect man, about five feet ten inches in height. His eyes are dark and piercing, and his straight black hair, worn cavalier fashion, "gives a poetic expression to his pale and effeminate features." He is Colonel Jeremiah Clemmens, soldier, author and congressman. He will lead the minority in the convention, but will finally vote for the Ordinance of Secession. The other delegate from Madison County is Nicholas Davis who comes as a strong Unionist. He has stumped Northern Alabama against Secession, and will fight against it in the convention. Later he will command a battalion of Alabama infantry, and finally forsake the Confederacy.

The Delegates from Montgomery

Rapidly the secretary continues the call: "Mobile," is announced. A muscular and well-built man arises, his expression grave, and goes to the clerk's desk. He is a former chief justice of the Supreme Court of Alabama, and his name is Edmund Spann Dargan. Another delegate from Mobile is Judge John Bragg, a brother of the famous General Braxton Bragg.

"Montgomery," the secretary calls. The spectators in the galleries lean forward eagerly. The magic voice of Alabama's most polished orator, an eminent son, the leader of the Southern movement, replies 'present.' He is William Lowndes Yancey, and with great dignity he walks to the secretary's desk. On his arm is his colleague from Montgomery, a large, stout man, soon to be the Attorney General of the Confederacy and within two years, the Governor of Alabama. He is Thomas Hill Watts. There is an outburst of applause as the delegates from Montgomery sign their names on the roll.

[The call continues: "Perry," and delegate William McLin Brooks goes forward. In a few minutes the Secessionists will elect him president of the convention.

But a few counties are left now: "Sumter," the secretary calls. There is a stir in one end of the hall. A gentleman of medium stature, delicate build, and pallid complexion, goes to the secretary's desk. He is a former circuit judge, Augustus A. Coleman. He was elected to the convention without opposition. During the war he will become the gallant colonel of the Fortieth Alabama.

"Tuscaloosa," calls the clerk. A former major-general of militia, a one-time Indian fighter, a scholar and a lawyer, Wil-

liam Russell Smith, arises and signs his name on the convention roll. Later he will compile a book containing the debates of the convention, and thereby render a most useful service to students of history.

"Wilcox," announces the secretary. A soldierly figure arises from his seat and goes to the clerk's desk. He is Franklin King Beck. Less than four years later he will lie dead in his gray Confederate colonel's uniform on the battlefield of Resaca.

"Winston," drones the tired voice of the clerk. Delegate C. C. Sheets goes forward and enrolls his name. He will become a deserter from the Confederate Army.

The call of delegates is finished. The convention is now ready to take up its grave duties.

The Convention Begins Its Labors

The convention proceeds at once to elect permanent officers. Franklin King Beck, of Wilcox, nominates Judge William McLin Brooks, of Perry County, an out-and-out Secessionist, and a very distinguished lawyer.

As Delegate Beck takes his seat, a very tall and handsome man, with blue eyes and dark hair, a gallant veteran of the Mexican War, Nicholas Davis, of Madison County, arises to present the choice of the minority for president of the convention. This was a distinguished Alabamian who was then the most influential opponent of secession, a man of splendid intellect and great force of character, Robert Jemison, Jr., of Tuscaloosa, a strong Co-operationist. No other nominations are made and the vote is soon taken and announced.

Every delegate elected to the convention has voted, except the nominees. Fifty-three of the delegates have cast their votes for Secessionist Brooks and forty-five have voted for Co-operationist Jemison. The Secessionist candidate for president of the convention is thus elected by a majority of eight votes, and the result foretells the action the people of Alabama in convention assembled will take when the Ordinance of Secession is presented for a vote.

The Vote a Test of Strength

Smith, in his invaluable "History and Debates of the Convention of Alabama," writes:

This was the entire vote, and was a test of the relative strength of parties—there being, including Mr. Brooks, fifty-four who favored immediate secession, and forty-six, including Mr. Jemison, who were in favor of consulting and co-operating with the other slave-holding states.

The Convention's First Debate

The first debate in the convention came when Mr. Whatley, of Calhoun County, who favored Alabama's immediate secession, introduced a resolution for the purpose of ascertaining the view of the convention upon the question of submission or resistance to Lincoln's administration. "If we shall determine for

resistance, as no doubt we will," argued Mr. Whatley, "then the next step will be, what kind of resistance shall we offer?"

Several of the delegates objected to the wording of the resolution. Said William Russell Smith, of Tuscaloosa:

It is proclaimed that this is intended as a test; the test as to submission! The intimation is ungenerous. It is inconsistent with the desires of harmony and conciliation that have been openly expressed here by all parties. It is an injudicious beginning of our deliberations.

It is true that it has been ascertained by the elections which have just been had here, that we are in a minority. I am of that minority, but I do not associate with submissionists! There is not one in our company. We scorn the prospective Black Republican rule as much as the gentleman from Calhoun, or any of his friends.

Clemens Objects to Motives Behind Resolution

Jeremiah Clemens, a leader of the Co-operationists, also spoke against the resolution. He did not object to its terms declaring that the people of Alabama would not submit to be parties to the inauguration and administration of Mr. Lincoln, but he did object to the avowed motives which prompted the introduction of the resolution.

"I am no believer in peaceable secession," said he. "I know it to be impossible. No liquid but blood has ever filled the baptismal font of nations. The rule is without an exception, and he has read the book of human nature to little purpose who expects to see a nation born, or christened at any altar but that of the God of battles."

Mr. Clemens continued: "I do not concede the right of any man to make a test for me. No man shall make it; and if his purpose be to ascertain the real sense of this convention upon the subject matter of his resolution, I tell him that he has adopted the wrong course, and his effort will end in failure. For one, I shall take the responsibility of voting NO!"

After further discussion the resolution was amended and unanimously passed in the following form:

Resolved by the People of Alabama in Convention Assembled, That the State of Alabama can not and will not, submit to the administration of Lincoln and Hamlin, as president and vice president of the United States, upon the principles referred to in the preamble.

The Convention Deliberated in Secret

I doubt if there has assembled at any time within the United States any body of men more profoundly impressed with the seriousness of the duties entrusted to them, or more determined that their deliberations should be conducted with order and decorum than was this convention. On its first day a resolution was introduced which proves this. When Yancey and Watts went forward to the clerk's desk to enroll their names as delegates they were greeted with a burst of applause.

John Tyler Morgan, of Dallas, promptly offered a resolution that the members of the convention should abstain from applause on all occasions; and that all demonstrations of applause in the galleries should be strictly prohibited. On the second day of the convention when tumultuous applause again and again interrupted the address of Honorable Andrew P. Calhoun, the commissioner from the State of South Carolina, and the presiding officer was unable to restrain it, a resolution was introduced that the convention should deliberate in secret.

John Tyler Morgan's Political Creed

Morgan at once spoke in favor of the resolution to debate in secret. He said:

So far, we have found it impossible to preserve proper order, and the result has been that we are unable even to comprehend much that has been said by members of the convention.

And then the distinguished delegate from Dallas uttered this sentiment, his life-long political creed, as it were:

I am very fond of the people but I have always found that the best recommendation a servant can bring to his master is, that he has done his duty, not with eye service . . . The best reasons can be shown for the adoption of the resolutions. It will remove from this chamber the hot impulse which moves the people to demand the immediate passage of the Ordinance of Secession. Every argument must be heard on both sides, and we must take counsel together. No one can render me a better service than to keep me in check until my judgment can fully approve a measure which every emotion of my nature urges me to adopt.

Mr. Jones, of Lauderdale, Co-operationist, also favored the resolution, saying:

The boisterous manifestations of applause or dissatisfaction are alike incompatible with the dignity of this body, and the calm and thorough investigation of the momentous issues entrusted to us.

Much animated discussion followed, after which the convention resolved to sit "as a general rule, with closed doors."

Aid to Seceding States Against Coercion

During the open session of the convention's third day, Mr. Coleman, of Sumter, introduced a resolution which brought on bitter tempered debate. The resolution was:

Resolved by the People of the State of Alabama in Convention Assembled, That they pledge the power of this State, to aid in resisting any attempt upon the part of the United States of America to coerce any of the seceding States.

Members like Co-operationist Jemison, of Tuscaloosa, who were opposed to immediate secession, desired that the resolution should be referred to the Committee of Thirteen, hoping to delay it there. Mr. Jones, of Lauderdale, also opposed the resolution, saying that

there was no necessity for haste: "There is no hostile army battering at the gates of Charleston—no invading foe desecrates her soil. There is no voice from that quarter demanding our aid—there is no money wanted, no munitions of war needed, no soldiers asked." He urged that action be postponed until the next day, when, said he, "it is morally certain the Ordinance of Secession will be passed, and the members of this convention absolved by the sovereign authority of Alabama from their allegiance to the federal government. Until the State so absolves me, I can not, and will not, vote for resolutions proposing to declare war on the United States."

Yancey Discusses Treason to Alabama

Morgan, of Dallas, spoke for immediate passage of the resolutions, as did William L. Yancey. The latter brought in the question of treason to Alabama, and his speech threw the convention into the wildest excitement. Du Bose in his "The Life and Times of Yancey," writes:

Mr. Yancey rose, his countenance showing the utmost animation. He spoke for thirty minutes in most vehement invective.

James Ford Rhodes says: "Yancey denounced the people of northern Alabama, who were opposed to immediate secession, as 'misguided, deluded, wicked men,' who had entered on the path that led to treason and rebellion. He declared that they ought to be coerced into submission to the will of the majority."

Yancey, in reply to the argument of Smith, of Tuscaloosa, that if the convention would wait until tomorrow the resolution would pass unanimously, and that if but a bare majority of the convention should give assurance of aid to South Carolina, which had already seceded, that state would regard it as an insult, said:

It is useless, Mr. President, to disguise the true character of things with soft words. Men, who shall, after the passage of this ordinance dissolving the Union of Alabama with the other states of this confederacy, dare array themselves against the State, will then become the enemies of the State. There is a law of treason, defining treason against the State, and, those who shall dare oppose the action of Alabama, when she assumes her independence of the Union, will become traitors—rebels against its authority, and will be dealt with as such. Sir, in such an event, the nomenclature of the revolution of 1776 will have to be revived. The friends of the country were then called Whigs, and the enemies of the colonies were called Tories. And I have no doubt that, however they may be aided by abolition forces, the god of battles and liberty will give us the victory over the unnatural alliance as was done, under similar circumstances in the Revolution.

In this great contest there are but two sides— a Northern and a Southern; and when our Ordinance of secession shall be passed, the citizens of the State, will ally themselves with the South. The misguided, deluded,

wicked men in our midst, if any such there be, who shall oppose it, will be in alignment with the abolition power of the federal government, and as our safety demands, must be looked and dealt with as public enemies.

Convention Thrown into Alarming Excitement

Du Bose continues: "The convention was thrown into an alarming excitement; the members gathered in coteries, and business was, for the moment, suspended. Mr. Watts rose. His feelings were deeply moved, for many of the delegates upon whose heads his colleague had poured out a terrible wrath, had been his political and personal supporters and friends. 'I regret exceedingly (Watts said) the tone of the speech that has just been made by my colleague, Mr. Yancey. This is no time for the exhibition of feeling or for the utterance of denunciation.' "

Mr. Jemison also deplored the speech. Mr. Nicholas Davis, of Madison, who later voted against the ordinance, was greatly stirred by Mr. Yancey's remarks. He regarded them as a reflection upon the patriotism of his constituents in North Alabama. After the Civil War starts Davis will desert the Confederacy and take refuge behind the federal lines at Huntsville.

Davis Challenges Yancey

"We are told, sir," he said, "that resistance to the action of this convention is treason, and those who undertake it traitors and rebels We must be dealt with as public enemies I seek no quarrel with the gentleman from Montgomery, or his friends. Towards him personally, I entertain none other than the kindest feelings, but I tell him should he engage in that enterprise, he will not be allowed to boast the character of an invader. Coming at the head of any force which he can muster, aided and assisted by the executive of this State we will meet him at the foot of our mountains, and there with his own selected weapons, hand to hand, and face to face, settle the question of the sovereignty of the people."

Fortunately at this point the convention adjourned for the day.

Ordinance of Secession Introduced

On January 10, the fourth day of the convention, the opening session was secret. A telegram read to the convention announced the secession of Mississippi.

There was deep quiet in the convention hall when the next order of business, reports of committees, was reached.

Mr. Yancey, chairman of the powerful Committee of Thirteen, arose. All eyes were fixed upon the great leader. He was of average height, deep-chested and broad-shouldered. Brewer says: "The features of his face were full without massiveness, and expressed the calm determination for which he was noted. His manner was grave and deliberate." His commanding appearance quickly attracted one's attention. Exceptionally handsome and well proportioned, Yancey radiated vigor, courage and manliness.

He then reported for the Committee of Thirteen, the weight-

iest document ever considered by the people of Alabama or by their representatives in convention assembled. It was the Ordinance of Secession, and it read as follows:

An Ordinance to Dissolve the Union between the State of Alabama and other States united under the compact styled "The Constitution of the United States of America."

Whereas, the election of Abraham Lincoln and Hannibal Hamlin to the offices of President and Vice President of the United States of America, by a sectional party, avowedly hostile to the domestic institutions and to the peace and security of the people of the State of Alabama, preceded by many and dangerous infractions of the Constitution of the United States by many of the States and people in the Northern section, is a political wrong of so insulting and menacing a character as to justify the people of the State of Alabama in the adoption of prompt and decided measures for their future peace and security; therefore,

Be it Declared and Ordained by the People of the State of Alabama, in convention assembled, That the State of Alabama now withdraws and is hereby withdrawn from the union known as the United States of America, and henceforth ceases to be one of said United States and is, and of right ought to be, a sovereign and independent State.

Section 2. Be it further declared and ordained by the people of the State of Alabama in Convention Assembled, That all the powers over the territory of said State, and of the people thereof, heretofore delegated to the government of the United States of America, be and are hereby withdrawn from said government, and are hereby resumed and vested in the people of Alabama.

The ordinance then declared that it was the desire and purpose of the people of Alabama to meet the slave-holding States of the South in order to frame a government upon the principles of the Constitution of the United States. It invited the people of the States of Delaware, Maryland, Virginia, North Carolina, South Carolina, Florida, Georgia, Mississippi, Louisiana, Texas, Arkansas, Tennessee, Kentucky and Missouri, to send delegates to a convention to be held at Montgomery, February 4, 1861.

The Resolution of Jere Clemens

Mr. Clemens then submitted a minority report on behalf of six members of the committee, Jemison, Watkins, Kimball, Winston, Lewis and himself, opposing separate State secession and urging that concurrent and concerted action of all the Southern States be had first.

His resolution was couched in this language:

That an ordinance of secession from the United States is an act of such great importance, involving consequences so vitally affecting the lives, liberty and property of the citizens of the seceding states, as well as of

the States by which it is surrounded, and with which it has heretofore been united, that in our opinion it should never be attempted until after the most thorough investigation and discussion, and then only after a full and free ratification at the polls by direct vote of the people, at election held under the forms and safeguards of the law in which that single issue, untrammelled and undisguised in any manner whatsoever, should alone be submitted.

Mr. Clemens also submitted with his minority report certain resolutions calling for a general convention of the Southern States in Nashville on Washington's Birthday, and suggesting a basis for settlement of the existing difficulties between the Northern and Southern States. The Southern States were willing to remain in the Union if certain guarantees, somewhat like the Crittenden Compromise, were made.

Minority Resolution Voted Down

Mr. Clemens moved that the preamble and the first series of the minority resolutions be taken up and substituted for the Ordinance of Secession. By a vote of 54 to 45 the motion was lost. Mr. Clemens then moved an amendment that the Ordinance of Secession should not go into effect until March 4, 1861, and not then unless it should be ratified and confirmed by a direct vote of the people.

Why Ordinance not submitted to Popular Vote.

The real purpose of this motion was simply to delay Secession as long as possible. Clemens knew that Secession was a movement of the people, not of the politicians, and that Secession was inevitable.

Moore, in his History of Alabama, writes: "When the Co-operationists saw that the Secessionists were inflexible in their determination to take the State out of the Union, they proposed to refer the Ordinance to the people, hoping to delay action, if not to defeat the Secession scheme."

The Co-operationists may have had some hope of delaying Alabama's withdrawal from the Union, but I do not believe they entertained the slightest hope of preventing the State's Secession. The logic of events had long made that certain. And events which had transpired during the first few days of the Convention made Secession a certainty.

It may be argued, as suggested by the historian Rhodes, that the Secessionists would "have made their case stronger had they submitted the Ordinance of Secession to a popular vote." However, he adds that there is no reason whatever for thinking that the Secessionists feared the result. Submitting the ratification of the Ordinance for the approval of the people meant delay, and the Secessionists "were anxious above all to get the proposed Southern Confederacy into operation."

People Never Ratified U. S. Constitution

But Mr. Yancey gave the best reasons for not referring the ordinance to popular vote, and the majority in their course 'had

the best of precedents': the United States Constitution had never been submitted to the people for ratification. Mr. Yancey showed that delay would make Alabama's position dangerous, that she had gone too far to recede with dignity, and that further delay would but keep up strife and dissension among the people, and would not keep Alabama from seceding.

"In this body is all power," he said, "no powers are reserved from it. The people are here in the persons of their deputies . . . Ours is a representative government, and whatever is done by the representative in accordance with the constitution is law; and whatever is done by the deputy in organizing government is the people's will. The policy, too, is one of recent suggestion. If I am not mistaken, it was never proposed and acted upon prior to 1837. Certainly The Fathers did not approve it. The constitutions of the Original Thirteen States were adopted by conventions, and were never referred to the people . . . The constitution of the State of Alabama was never submitted for popular ratification."

There was no answer to Mr. Yancey's argument. The amendment to submit the ordinance to a vote of the people was lost by a vote of 54 to 45.

All Steps Turn to the State House

Friday, January 11, 1861, came. It was to be one of the high days in the history of the State. The long debates were over, the talk of statesmen was ended—the time for action was at hand.

It was known in Montgomery, and over the State, Thursday afternoon that the vote would be had the following morning. And now that the solemn event in the life of Alabama was close at hand business in the city was practically suspended for the day. The merchants and business men were hard at work preparing flags and bunting, while citizens and visitors wended their way in ever increasing numbers to capitol hill. The State artillerymen had placed their guns that they might be in readiness to fire the salute which would announce to the world that Alabama had seceded.

The Eleventh of January, 1861

In the throngs hurrying to the capitol that day were many of the delegates to the convention. They were soon in their seats; the hall was quickly cleared of the public, and the convention prepared to resume its deliberations in secret.

The president read a telegram from the governor of Florida announcing that the State had seceded unconditionally by a vote of 62 to 7.

It was close to eleven o'clock that historic Friday morning, when President Brooks rose and announced to the delegates that the special order was the report of the majority from the Committee of Thirteen, and the Ordinance of Secession.

John Witherspoon Du Bose says "the scene was very impressive and solemn, as the convention, in secret session, was about to poll the vote." And Hodgson tells us that "then occurred one

of the most interesting and painful scenes ever witnessed by a deliberative body sitting upon measures involving the life or death of States. The members of the minority before casting their votes, protested against the act about to be committed, and each in turn raised his warning voice."

While the convention was preparing to vote in its hall, the state senate chamber, just across the rotunda, was crowded with a huge throng of loyal Southerners listening to secession orations by some of the State's most gifted sons. At all times the crowd's enthusiasm was at high pitch, and often the uproar was so loud that the convention, sitting in secret behind heavy oak doors, had to pause in its work.

Bishop Cobb's Prayer Granted

In one Montgomery home there was sorrow that day for in it a beloved Alabamian, one of the makers of the State, lay dying. The sands of his life were running swiftly that Friday morning while the convention held its momentous session, and it was the dying man's wish that God might call him home before his State seceded. God was to hear and to answer the prayer of his faithful servant that morning, and Nicholas Hamner Cobbs, first Episcopal Bishop of Alabama, was to die just an hour before the bells rang out Alabama's withdrawal from the Union.

The Convention Prepares to Vote

"The Secessionists were of one mind in regard to Secession," says Fleming in his 'Civil War and Reconstruction in Alabama,' "and did not debate the subject; the Co-operationists, all from North Alabama, were careful to explain their views at length in their speeches of opposition."

Twenty-three members addressed the convention before the vote was had. Seventeen declared they would vote against the passage of the Ordinance of Secession. Seven others announced that they would vote for the Ordinance. Among them were three members who had been elected as Co-operationists. Colonel Clemens, who was the leader of the Co-operationists, was of this number. He stated, however, that if his vote would keep Alabama in the Union, he would vote against the Ordinance of Secession.

Mr. Yancey, as chairman of the Committee of Thirteen, closed the discussion in one of the ablest speeches of his long political career, stating succinctly the reasons which impelled him to believe that the ordinance should be passed. In conclusion, he said: "I now ask that the vote may be taken."

Alabama a Free and Independent State

Quietness settled over the hall of the convention.

"The secretary will call the roll," directed President Brooks.

"Mr. President," the secretary began.

"Aye," answered the presiding officer. And the passage of the ordinance had begun with the first vote cast.

The roll was quickly called. Tears suffused the eyes of some

of the delegates, and many voted with marked sadness of voice as the State prepared to separate itself from the old Union.

Now the call of the roll is finished. There is the rustling of papers on the clerk's desk, the quick addition and verification of figures by the secretary. He turns to the president of the convention on the speaker's platform, and, as President Brooks leans towards him, whispers the result of the vote.

"Upon a counting of the votes," declares the president with deep emotion and solemn voice, "it appears that there are sixty-one ayes and thirty-nine nays.

"The Ordinance of Secession is adopted. I declare the State of Alabama now free, sovereign and independent."

The convention immediately removed the secrecy from its proceedings and, on motion of Mr. Yancey, threw open its doors to the public.

The People Rejoice

My account of the convention might well close here, but in order that you may have a mental picture of the final scene at the capitol I quote these words from Joseph Hodgson:

"The vast multitude which had assembled in and about the capitol, thronging the corridors and vestibule in anxious expectation of the news, as soon as the doors were opened, burst into the lobbies in a fever of excitement and enthusiasm. The Senate Chamber, within hearing of the Convention Hall, had been thronged with citizens from an early hour, who had listened to speeches from distinguished men, and whose rapturous applause had constantly reached the ears of the convention. Now the rush to the lobbies, to the galleries, and to the floor of the convention chamber, resembled the rush of a mountain torrent. In an instant salvos of artillery heralded the event, and banners were displayed in all parts of the little city. As if by magic, an immense flag of Alabama was thrown across the hall, and was greeted with cheer upon cheer until the rafters fairly rang with the applause. Mr. Yancey presented the flag in the name of the ladies of Alabama, and paid a splendid tribute to the ardor of female patriotism. It was accepted by Mr. Alpheus Baker in one of those glowing speeches for which he was so famous, in which the word painting was so brilliant and electric as to captivate every heart.

"Throughout the day the roar of peaceful guns continued; more flags leaped every moment to the wind, until the air was heavy with the vast expanse of gorgeous bunting. Speeches of congratulations were being made by eloquent orators to the wild populace; and everywhere was seen an enthusiasm such as perhaps never before in the annals of the world greeted the birth of a new government."

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